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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/736,958

12/16/2003

Ronald F. Watts

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03/17/2008

ALCATEL LUCENT

INTELLECTUAL PROPERTY & STANDARDS

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EXAMINER

GAUTHIER, GERALD

ART UNIT

PAPER NUMBER

2614

MAIL DATE

DELIVERY MODE

03/17/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/736,958

Applicant(s)

WATTS ET AL.

Examiner

Gerald Gauthier

Art Unit

2614

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2 and 6-25 is/are rejected.
- 7) ☐ Claim(s) 3-5 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 November 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB-08)
Paper No(s)/Mail Date 5/05/2005
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

2. **Claim 25** is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

Claim 25 is a single means claim.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

5. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

6. **Claims 1-25** are rejected under 35 U.S.C. 103(a) as being unpatentable over Archer (US 6,829,236 B1) in view of Mayer et al. (US 7,317,695 B2).

Regarding **claim 1**, Archer discloses a method of providing Web-based directory services to establish a voice communication session with an IP-based telephone (automated directory assistance via the Internet and corresponding call completion within a telecommunication system column 1, lines 11-12), said method comprising the steps of:

populating a database (204 on FIG 2). with directory entries, each entry being associated with an entity and including information relating to establishing a voice communication session with the entity (column 7, lines 7-15);

receiving, in an Internet accessible server in communication with the database, a user request to provide directory information, wherein the request includes an address to which the requested information may be sent (column 4, lines 15-22); and

transmitting directory information from the server to the address included in the request, the directory information including at least one directory entry (column 4, lines 23-30);

determining a manner of establishing voice communication with the user (column 4, lines 37-42).

Archer fails to disclose receiving in the server a request to establish a voice communication session with the entity.

However, Mayer teaches receiving in the server a request to establish a voice communication session with the entity associated with the at least one directory entry (column 6, lines 15-26); and

initiating the requested voice communication session using a conferencing system coupled to the server by initiating a call to at least one of the entity and the user (column 6, lines 27-44).

Therefore, it would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify the invention of Archer using the conference call server as taught by Mayer.

This modification of the invention enables the system to receive in the server a request to establish a voice communication session with the entity so that the user would establishes a conference call with the server.

Regarding **claim 2**, Archer discloses a method of, wherein the initiating step includes the steps of: first initiating a voice call to the user (column 4, lines 37-58);

waiting until the call to the user has been terminated at a user device (column 4, lines 37-58); and

initiating a voice call to the entity (column 4, lines 37-58).

Regarding **claims 6-8 and 17**, Archer discloses a method, further comprising the step of monitoring the voice communication session, if any, to determine when the voice call to any party has been ended (column 6, lines 19-26).

Regarding **claims 9-12**, Archer discloses a method, further comprising the step of transmitting, prior to the step of transmitting directory information from the server, a request for information relating to the user (column 5, lines 54-59).

Regarding **claims 13 and 14**, Archer discloses a method, wherein the step of determining a manner of establishing voice communication with the user comprises the steps of transmitting a query to the user and receiving a response (column 8, lines 9-20).

Regarding **claim 15**, Archer discloses a method, further comprising that step of storing billing information relating to the voice communication session, if any, so that at least one of the entity and the user can be billed for charges incurred, if any (column 9, lines 48-57).

Regarding **claim 16**, Archer in combination with Mayer disclose all the limitations of claim16 as stated in claim1's rejection above.

Regarding **claim 18**, Archer discloses a system, wherein the at least one entity is allowed to alter information relating to it that is stored on the database (column 9, lines 15-28).

Regarding **claims 19-21**, Archer discloses a system, wherein the system verifies the identity of the user prior to placing a voice call to the at least one entity (column 9, lines 3-15).

Regarding **claim 22**, Mayer teaches a system, wherein the conferencing system if for placing a voice call to the user and to each of a selected number of the plurality of entities to establish a voice communication session between the user and the selected entities (column 6, lines 27-44).

Regarding **claim 23**, Archer discloses a system, wherein the selected number of the plurality of entities is selected by the user (column 7, lines 7-14).

Regarding **claim 24**, Archer discloses a system, wherein the IP-based telephone is operable according to the session initiation protocol (column 7, lines 40-55).

Regarding **claim 25**, Archer in combination with Mayer disclose all the limitations of claim 25 as stated in claim1's rejection above.

Allowable Subject Matter

7. **Claims 3-5** are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gerald Gauthier whose telephone number is (571) 272-7539. The examiner can normally be reached on 8:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (571) 272-7547. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Gerald Gauthier/
Primary Examiner, Art Unit 2614

/GG/
March 15, 2008